

It was alleged in the libels that the article was misbranded in that the statements upon the carton, to wit, "Antiseptic. The alkalinity of Borine average about 0.108% expressed as sodium carbonate," were false and misleading in that the said article was not an antiseptic and contained no sodium carbonate nor other alkali. Misbranding was alleged for the further reason that the following statements, borne on the label, regarding the curative and therapeutic effects of the article were false and fraudulent, since it contained no ingredient or combination thereof capable of producing the effects claimed: (Carton) "Avoid colds, sore throat, and contagious diseases. A Clean mouth insures good health—Borine insures a clean mouth * * *. A Penetrating Healing * * * Antiseptic * * *. You will find sound teeth, healthy gums * * * and good health are produced and maintained by the daily use of Borine Antiseptic Mouth-Wash * * * stops decay of food particles lodged about the teeth, prevent soreness of the gums and mouth * * *. For A Douche: Dilute one to two tablespoonfuls of Borine in a pint of warm water. Borine is an excellent remedy for the treatment of vaginal catarrh, leucorrhea, and other inflammatory conditions of the vagina and uterus, cleansing the inflamed membranes from all irritating and ill-smelling discharges, stimulating and toning it to a normal condition;" (circular) "The Bridge To Good Health Borine * * * Healing Antiseptic Prevents Colds and all Throat Trouble * * * prevents dandruff * * * Prevents colds and sore throat."

On July 9, 1928, and September 4, 1928, respectively, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16257. Misbranding of Thompson grippe and cold tablets. U. S. v. 111 Wholesale Cartons of Thompson Grippe and Cold Tablets. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23415. I. S. No. 07779. S. No. 1610.)

On February 15, 1929, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 111 wholesale cartons, each containing 10 retail packages of Thompson grippe and cold tablets, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the Owl Drug Co., from San Francisco, Calif., on or about January 8, 1929, and had been transported from the State of California into the State of Washington, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the tablets consisted essentially of quinine (0.23 grain per tablet), camphor, extract of glycyrrhiza, sugar, and talcum.

It was alleged in the libel that the article was misbranded in that the following statements were false and fraudulent: (Label) "Grippe * * * Tablets Employed in the treatment of Hay Fever, Influenza, La Grippe, etc., and for the relief of the feverish aching condition and pains that usually accompany the same. Directions—Take one tablet every hour during the day until relieved. Repeat next day if necessary;" (carton) "Grippe * * * Tablets employed in the treatment of Hay Fever, Influenza, La Grippe, etc., and for the relief of the feverish aching condition and pains that usually accompany the same."

On March 18, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16258. Misbranding of P and R chlorine bombs. U. S. v. 11 Cartons of P and R Chlorine Bombs. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23416. I. S. No. 07714. S. No. 1582.)

On February 15, 1929, the United States attorney for the District of Oregon, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11 cartons of P and R chlorine bombs, remaining in the original unbroken packages at Portland, Oreg., alleging that the article had been shipped by the National Research Corporation, from San Francisco, Calif., on or about June

27, 1928, and transported from the State of California into the State of Oregon, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it contained 0.35 gram of chlorine per ampul.

It was alleged in the libel that the article was misbranded in that the statements on the carton, "Is positively not poisonous in any way to the human system" and "Absolutely harmless," were false and misleading. Misbranding was alleged for the further reason that the statements on the carton, "Use for Influenza, Bronchitis, etc." and "For Best Results Use One Bomb Upon Retiring And The Other The Following Morning," were false and fraudulent.

On April 11, 1929, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16259. Misbranding of Grains of Health. U. S. v. 45 Cans of Grains of Health. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21467. I. S. No. 5099-x. S. No. E-5912.)

On December 17, 1926, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 45 cans of Grains of Health, remaining in the original unbroken packages at Baltimore, Md., alleging that the article had been shipped by the Grains of Health Products Co., from Wheeling, W. Va., on or about November 27, 1926, and transported from the State of West Virginia into the State of Maryland, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of roasted coffee, chicory, and a starchy material, probably of a cereal or leguminous origin. It contained 0.45 per cent caffeine.

It was alleged in the libel that the article was misbranded in that the following statements regarding the said article were false and misleading: (Package) "Similar to coffee in taste and flavor;" (circulars) "Even the choicest brands and blends of coffee contain Caffeine and Tannin in quantities which are generally acknowledged as being harmful ingredients, producing nervousness, headaches, insomnia, etc. The great majority of Physicians, Dentists, and Nerve Specialists now advise against the use of coffee on account of its harmful effects * * *. As a result, this 'Healthified Coffee' satisfies those loving the taste and flavor of coffee as well as those who cannot drink coffee without suffering ill effects * * *. Persons who cannot or dare not drink coffee on account of the harmful effects * * *. Persons who cannot drink coffee and do not like the taste of cereal coffees or imitations * * *. Better than coffee because it completely satisfies the coffee desire, is highly nutritious, and does not produce harmful effects." Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent, since the said article contained no ingredient or combination thereof capable of producing the effects claimed: "Health * * *. Grains of Health * * *, Healthified Coffee. It can be served without hesitation to the sick, young, or old, to those troubled with indigestion, constipation, improper assimilation, and headaches, with the same beneficial results * * *. Persons troubled with rifting, heaviness, bloating after eating. Grains of Health tends to keep the gas from the stomach. Persons who are unable to eat certain kinds of food or food which they like on account of indigestion or other disagreeable results. Such foods can be eaten freely when using Grains of Health. Persons troubled with constipation or piles or those who have to resort to laxatives continually * * *. Persons continually troubled with severe headaches. Persons sick with fever and in many cases where water, milk, or cocoa cannot be given, Grains of Health will always agree with them. Persons who cannot distinguish tastes, all foods seeming to be alike to them. Persons troubled with kidney disorders or too frequent urinations. Persons having weak or lost appetite. Grains of Health creates a desire for the proper foods needed by the system. Persons who do not derive the proper strength from their foods. Grains of Health aids proper assimilation. Persons who do not or cannot eat in the morning on account of nausea or unsettled stomach * * * positive benefit * * *. I am very glad to recommend Grains of Health to all coffee drinkers who value good health. * * * has beneficial effect upon chronic and obstinate constipation—a very troublesome